

February 26, 2007

Ms. Amy M. Bennett
Standards Coordinator
Bureau of Water
South Carolina Department of Health
and Environmental Control
2600 Bull Street
Columbia, SC 29201

Re: South Carolina Regulation 61-68, *Water Classification and Standards* and South Carolina Regulation 61-69, *Classified Waters*

Dear Ms. Bennett:

The following comments are provided on behalf of the South Carolina Manufacturers Alliance (SCMA) Environmental Committee. Proposed changes are being conducted as part of an effort that SCDHEC is undertaking to amend specific sections of R.61-68, *Water Classifications and Standards*, and sections of R.61-69, *Classified Waters*.

The SCMA, with over 115 members, represents a very diverse group of manufacturers with interests in South Carolina. Many member companies are directly impacted by these water regulations. SCMA understands that SCDHEC must review and revise South Carolina's existing water quality standards regulations every three years in order to comply with Section 303(c)(2)(B) of the Federal Clean Water Act (CWA).

Dissolved Oxygen Standards

It has come to SCMA's attention that the Department is proposing to consider the adoption of a site-specific dissolved oxygen standard for portions of the Savannah River. SCMA urges SCDHEC to be vigilant in adopting new dissolved oxygen criteria for the Savannah River. Currently, dischargers on the Savannah River are subject to Environmental Protection Agency (EPA) promulgated water quality criteria designed for "zero discharge" Total Maximum Daily Load (TMDL) for oxygen depleting substances. New dissolved oxygen standards will directly impact loading on the Savannah River for some SCMA members.

Aquatic Life Ambient Freshwater Quality Criteria- Copper 2007 Revisions

In the *Federal Register* published on February 22, 2007, the EPA announced that a new revised criterion for copper is now available. The new criterion contains revised recommendations for freshwater aquatic life criteria for copper. It incorporates new data and also relies on a new scientific model, the biotic ligand model. SCMA strongly recommends that the Department integrate these criterion into the Water Quality Standards.

Ephemeral Streams

SCMA would also like to address the Department's proposed definition of ephemeral stream and water quality standards for ephemeral streams. SCMA supports an amended definition of ephemeral stream as long as biological indicators, scientifically based and founded on biological

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data, are used to determine ephemeral streams. Scientifically justified designated uses and regulations for ephemeral streams should be developed and incorporated into R.61-68. Until this is done we ask that DHEC instate a policy requiring that individual permits for discharges into ephemeral streams must only include monitor and report requirements for all but conventional pollutants.

In closing, source water protection standard provisions are also being revised by the Department at this time. SCMA would like to see a reasonable definition of source water protection area.

Thank you for this opportunity to provide comments in this very important rule making process. If you have any questions, please feel free to call me at (803) 799-9695.

Sincerely,

Sara N. Hopper
Director of Government Relations

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Re: South Carolina Regulation 61-68, *Water Classification and Standards* and South Carolina
Regulation 61-69, *Classified Waters*
Part II

Dear Ms. Bennett:

The notice of drafting indicates that South Carolina Department Health and Environmental Control intends to revise the criteria of arsenic standards. SCMA fully supports a revision of the standard to reflect the appropriate and current scientific information.

SCMA asks that the Department reconsider the wording in Part E (14) (c) (5) and how it determines reasonable potential to impact a drinking source.

Thank you for this opportunity to provide comments in this very important rule making process. If you have any questions, please feel free to call me at (803) 799-9695.

Sincerely,

Sara N. Hopper
Director of Government Relations

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March 5, 2007

Ms. Amy M. Bennett
Standards Coordinator
Bureau of Water
South Carolina Department of Health
and Environmental Control
2600 Bull Street
Columbia, SC 29201

Re: Triennial Review of South Carolina Regulation 61-68, *Water Classification and Standards*
and South Carolina Regulation 61-69, *Classified Waters*

Dear Ms. Bennett:

The following comments are provided on behalf of the South Carolina Manufacturers Alliance (SCMA) Environmental Committee. Proposed changes are being conducted as part of an effort that SCDHEC is undertaking to amend specific sections of R.61-68, *Water Classifications and Standards*, and sections of R.61-69, *Classified Waters*.

The current numeric water quality criterion for Manganese for organism consumption is 100 µg/L. According to R. 61-68, this criterion is based on the EPA's recommended values in the Gold Book. We believe that the application of this criterion to freshwater aquatic life is not appropriate since, in the Gold Book, the criterion was only recommended to apply to the protection of consumers of marine mollusks and not the consumers of freshwater aquatic life. The recommended criteria are stated as follows in the Gold Book rationale:

Criteria:

50 ug/L for domestic water supplies (welfare):

100 ug/L for protection of consumers of marine mollusks.

In the text of the Gold Book rationale, the authors provide more detail:

The major problem with manganese may be concentration in the edible portions of mollusks, as bioaccumulation factors as high as 12,000 have been reported (NAS, 1974). In order to protect against a possible health hazard to humans by manganese accumulation in shellfish, a criterion of 100 ug/L is recommended for marine water.

At no point in the rationale is this criterion recommended for protection for consumers of freshwater aquatic life. In fact, the Gold Book states that, "Manganese is not considered to be a problem in fresh waters."

As a result, we believe that application of this criterion to freshwater streams is not supported by any scientifically demonstrated need for the protection of consumers of the aquatic life in those

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streams. To avoid misapplication of the criterion, we recommend that the Department add a footnote to this criterion in R.61-68 that specifies that it applies only to discharges to marine water.

Thank you for this opportunity to provide comments in this very important rule making process. If you have any questions, please feel free to call me at (803) 799-9695.

Sincerely,

Sara N. Hopper
Director of Government Relations